IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 863 OF 2006

1. Mohammed Zahurool Islam & 7 ors.] ..Petitioners

Vs.

1. The Chief Executive Engineer, C1-C2 Division and 5 ors.] ..Respondents

Mr. S.V. Rajeshwar i/b M/s. Leega Apex for the petitioners.

Mr. R.M. Sawant, Govt. Pleader for the respondents No.2, 5 and 6.

CORAM : F.I. REBELLO,
ANOOP V. MOHTA, JJ.

DATED : 03RD MAY, 2006

P.C.

. Rule. Heard forthwith.

2. The petitioners herein are residing in a cessed building. The local MLA had sanctioned some amounts from his Fund and the petitioners No.1 and 2 are the holders of NOC. It appears that most of the work is complete, except for plastering and water proofing. The respondents were not considering the case of the release of money from the MLAs Fund on the ground that there was no Administrative approval.

3. Once the work was started and there was a sanction, we see no reason as to why the amount which were made available from the MLA Fund cannot be used for the purpose for which it was earmarked. We, therefore, direct respondents to take a decision within four weeks from today.

4. With the above direction, Petition disposed of. Rule made absolute accordingly.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]